IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

Bail Appl..No. 5444 of 2007()

CRIME NO.83/07 OF BEYPORE POLICE STATION

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PETITIONERS/ACCUSED

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1. EDATHODY RAJESH, S/O.KELUKUTTY,
   EDATHODY HOUSE, P.O.ARAKKINAR,
   KOZHIKODE.

2. THACHAMBALATH SURESH BABU,
   S/O.VELAYUDHAN, THACHAMBALATH HOUSE,
   P.O.BEYPORE, KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS: COMPLAINANT & STATE

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1. SUB INSPECTOR OF POLICE,
   BEYPORE POLICE STATION,
   KOZHIKODE.

2. STATE OF KERALA,
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5444 of 2007

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Dated this the 10th day of September, 2007

O R D E R

Application for regular bail. The petitioners face allegations under Section 498A I.P.C. They are the husband and brother-in-law of the deceased woman. The marriage took place on 8.4.2007. The deceased committed suicide by jumping in front of a running train on 6.8.2007. No suicide note was left by her. Initially there was no allegation against her husband or relatives. Subsequently a complaint is sought to be filed before the police raising allegations against the husband and his relatives. The second petitioner/brother-in-law is alleged to have be made disparaging remarks against the deceased when she did not accept the request of the accused to get water to enable them to take drinks. No specific allegation of physical cruelty is alleged at all. The petitioners were arrested on 19.8.2007. They continue in custody from that date.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer and I am satisfied in the

facts and circumstances of this case that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months from the date of their release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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